

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S010590

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

TOM PATRICK BENNINGHOVEN; CAROL BENNINGHOVEN

INCORRECT

SHOULD BE - BENNINGHOVEN

Primary Contact:

TOM PATRICK BENNINGHOVEN

PO BOX 37

ZENIA, CA 95595

HLC62 Box 37

Agent:

Address:

Phone No.

Fax No.

E-mail Address:

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Phone No. 707-923-9676

Fax No.

E-mail Address:

Source Name: BURGESS CREEK

Tributary To:

County: Trinity

Diversion within: NW 1/4 of NW 1/4 Section 23, T 3 S, R 6 E, HB&M

Year of First Use: 1981

Name of Diversion works:

Assessor Parcel Number of the Diversion site:

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 claim ☐ Court Decree No.: Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrms))

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:

Gallons per minute (gpm) Gallons per day (gpd) Cubic feet per second (cfs)

ACRE FT X

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005	3.5	3.5	2.5	2.0	1.5	1						1	15
2006	3.5	3.5	2.5	2.0	1.5	1						1	15
2007	3.5	3.5	2.5	2.0	1.5	1						1	15

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:

Gallons Million Gallons (MG) Acre-feet (AF) ☒

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005	3.5	3.5	2.5	2.0	1.5	1						1	15
2006	3.5	3.5	2.5	2.0	1.5	1						1	15
2007	3.5	3.5	2.5	2.0	1.5	1						1	15

E. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation acres; Stockwatering 20; Domestic

Other (specify) HYDRO ELECTRIC

Parcel Number(s) of Place of Use: 20-190-48 20-190-09

F. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.

(New pump, enlarged diversion dam, location of diversion, etc.)

NONE

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒
Describe any water conservation efforts you have initiated:

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

NA

Reduction in consumptive use:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion: _____ NA _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO X.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)
I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 5/13/08, 20____ at MY HOME - ZENIA, California

SIGNATURE: _____

PRINTED NAME: TOM PATRICK BENNINGHOVEN
(first name) (middle initial) (last name)

COMPANY NAME: _____

ITEM _____ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S010590%S%2004

2002, 2003, 2004

2005 11 20 10:30

CV WATER RIGHTS
NOV 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: TOM PATRICK BENNINGHOUE; CAROL BENNINGHOUE;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

TOM PATRICK BENNINGHOUE
PO BOX 37
ZENIA, CA 95595

STATEMENT NO.: ~~S010590~~
CONTACT PHONE NO.: (707)923-9676

Source Name: BURGESS CREEK
Tributary To: DOBBINS CREEK
County: Trinity
Diversion Within: NW1/4 of NW1/4 Section 23, T03S, R06E, HB&M

Year of First Use: 1981

Parcel Number:

A. **Water is Used Under:** Riparian claim X Pre-1914 right _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) 1981

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)			Acre-feet (AF)			Other			Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2002	✓	✓	✓	✓	✓	✓						✓	
2003	✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	
2004	✓	✓	✓	✓	✓	✓						✓	

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering _____; Domestic _____

Other (specify) HYDRO ELECT. PLANT + IRRIGATION + RETURNED TO BURGESS CR.

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.) NONE

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES _____ NO X
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

SJD
5/11/05

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO X

- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO X

- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 3/23, 2005 at My Home I ZENIA, California

SIGNATURE: Tom Bennighoven

PRINTED NAME: Tom (first name) P. (middle initial) BENNINGHOVEN (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.



S010590%\$2001

1999, 2000, 2001

Please Complete and Return This Form by July 1, 2002.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: TOM PATRICK BENNINGHOUE

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

TOM PATRICK BENNINGHOUE
PO BOX 37
ZENIA, CA 95595

STATEMENT NO. S010590
CONTACT PHONE NO. (707) 923-9676

FOR ONLINE REPORTING AT
www.waterrights.ca.gov

USER NAME: S010590
PASSWORD: C23857

Source Name: BURGESS CREEK
Tributary To: DOBBINS CREEK
County: Trinity
Diversion Within: NW1/4 of NW1/4 Section 23, T03S, R06E, HB&M

Year of First Use: 1981

Parcel Number:

A. Water is used under: Riparian claim X Pre 1914 right _____ Other (explain): _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:															
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual		
1999	X	X	X	X	X	X						X			
2000	X	X	X	X	X	X						X			
2001	X	X	X	X	X	X						X			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 1/2 acres; Stockwatering 20 head; Domestic _____

Other (specify) MAIN PURPOSE IS HYDRO ELECT. PLANT

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO X

Describe any water conservation efforts you have initiated: NONE

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr _____ (af/mg) yr _____ (af/mg) yr NONE (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

NOV 11 2002

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ☐ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:
- yr _____ (af/mg) yr _____ NONE (af/mg) yr _____ (af/mg)
- I have data to support the above surface water use reductions due to wastewater reclamation. YES ☐ NO ☐

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ☐ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:
- yr _____ (af/mg) yr _____ NONE (af/mg) yr _____ (af/mg)
- I have data to support the above surface water use reductions due to conjunctive use efforts. YES ☐ NO ☐

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/30, 20 02 at my home in Zenia, California

SIGNATURE: Tom Benninghoven

PRINTED NAME: TOM (first name) P. (middle init.) BENNINGHOVEN (last name)

COMPANY NAME: BENNINGHOVEN HYDRO

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

STATE WATER RESOURCES
CONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

99 MAR 23 PM 2:54

DIV. OF WATER RIGHTS
SACRAMENTO

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: TOM PATRICK BENNINGHOUE, CAROL BENNINGHOUE

TOM PATRICK BENNINGHOUE
PO BOX 37
ZENIA, CA 95595

STATEMENT NO: S010590

SOURCE: BURGESS CREEK
TRIBUTARY TO: DOEBINS CREEK
COUNTY: TRINITY
DIVERSION

WITHIN: NW¼ OF NW¼ SECTION 23, T3S, R6E, HB&M.

TELEPHONE NUMBER:
(707) 923-9676
YEAR OF FIRST USE: 1981
PARCEL NO:

A. Water is used under: Riparian claim X Pre 1914 right _____ Other (explain): _____

B. Year of first use (Please provide if missing above): _____

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	X	X	X	X	X	X					X	X	
1997	X	X	X	X	X	X	X				X	X	
1998	X	X	X	X	X	X	X				X	X	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 1/2 acres; Stockwatering 15 head; Domestic _____

Other (specify) MAIN PURPOSE HYDRO ELECT PLANT

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion-dam, location of diversion, etc.)
NONE

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you may have started: NONE

b. _____

c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved: NONE

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 _____ (af/mg) 19 NONE (af/mg) 19 _____ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO X

- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 _____ (af/mg) 19 NONE (af/mg) 19 _____ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 3/20 19 99 at My Home in Zenia California

SIGNATURE: Tom Benninghoven

PRINTED NAME: Tom BENNINGHOVEN (P)
(first name) (middle init.) (last name)

COMPANY NAME: BENNINGHOVEN HYDRO

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

P.O. Box 37
Benia, CA 95845
(707) 923-9676

May 28, 1996

Dear Mr. Johnson,

Please send me a copy of this form you have sent us and also a complete information booklet on all the revising versions. We wish to be kept informed of changes that may occur.

Please note that we have a new address and phone number.

Sincerely,

Tom & Carol Benninghoven

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: TOM PATRICK BENNINGHOUE, CAROL BENNINGHOUE

TOM PATRICK BENNINGHOUE
~~22156 OLD ALPURA RD~~ **P.O. Box 37**
~~REDDING, CA 96003~~ **Zenia, CA 95595**

STATEMENT NO: S010590

SOURCE: BURGESS CREEK
TRIBUTARY TO: DOBBINS CREEK
COUNTY: TRINITY
DIVERSION

TELEPHONE NUMBER:
~~(916) 549-5541~~ **(707) 923-9676**
YEAR OF FIRST USE: 1981
PARCEL NO:

WITHIN: NW¼ OF NW¼ SECTION 23, T3S, R6E, HB&M.

A. Water is used under: Riparian claim ☒; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	✓	✓	✓	✓	✓								
1994	✓	✓	✓	✓	✓	✓						✓	
1995	✓	✓	✓	✓	✓	✓						✓	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____

Other (specify) HYDRO ELECTRIC POWER PLANT

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
NONE

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.
NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: MAY 28, 1996, at ZENIA, California

SIGNATURE: Tom P. Benninghoven

PRINTED NAME: TOM (FIRST NAME) PATRICK (M. NAME) BENNINGHOUE (LAST NAME)

COMPANY NAME: _____

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

STATE WATER RESOURCES
CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
96 MAY 31 PM 1:32

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 010590

~~GWYNETH L BURGESS~~
~~STAR ROUTE 1, BOX 37~~
~~ZENIA, CA 95495~~

Tom BENNINGHOVEN
22156 OLD ALTURAS RD
REDDING CALIF 96003

TELEPHONE NUMBER:

~~47077-243-6076~~
916 549 5341

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BURGESS CREEK

TRIBUTARY TO: DOBBINS CREEK

COUNTY: TRINITY

DIVERSION

WITHIN: NW1/4 OF NW1/4 SECTION 23, T03S, R06E, H B&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1993. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons
below are: ☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1990	✓	✓	✓	✓	✓								
1991	✓	✓	✓	✓	✓								
1992	✓	✓	✓	✓	✓	✓							

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic _____

Other (specify) TO RUN HYDRO PLANT

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGES

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: APR 14 1993 . 19 ____ at REDDING , California

Signature: Tom Benninghoven

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S010590
OWNER OF RECORD: GWYNETH L BURGESS

GWYNETH L BURGESS
STAR ROUTE 1, BOX 37
ZENIA, CA 95495

This is
INCORRECT

New OWNER
Tom CARROL Benninghollen
22156 OLD ALTURAS RD.
REDDING CALIF. 96003
P.H. NO. 916 549 5541

SOURCE: BURGESS CREEK
TRIBUTARY TO: DOBBINS CREEK
COUNTY: TRINITY
DIVERSION

WITHIN: NW¼ OF NW¼ SECTION 23, T3S, R6E, MDB&H.

TELEPHONE NUMBER:

~~916 243-6076~~

YEAR OF FIRST USE: 1981

PARCEL NO: 2019048

2019008

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

- A. Water is used under: Riparian claim X; Pre 1914 right _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) 1981
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992													
1993													
1994													

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering 15 head; Domestic _____

Other (specify) WATER TO RUN HYDRO power PLANT

*** CONTINUE ON BACK PAGE ***

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed (new pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGES

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: _____, 19____, at _____, California

SIGNATURE: _____

PRINTED NAME: _____
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE
INFORMATION SHEET

STATEMENT NO. 5010590

DIVERSION SITE:

OWNER'S NAME TOM + CAROL P. BENNINGHOVEN
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 20-190-48 — 20-190-08

PLACE OF USE:

OWNER'S NAME TOM P. BENNINGHOVEN
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. _____

2. PARCEL NO. _____

3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER _____

NAME TOM PATRICK BENNINGHOVEN
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 22156 OLD ALTURAS RD
REDDING CAL. 96003
(CITY) (STATE) (ZIP)

TELEPHONE NO. (916) 549 - 5541

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME NONE
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

2. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL
INFORMATION BOX.

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5741
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

EDWARD F BURGESS
STAR ROUTE 1, BOX 37
ZENID, CALIF 95495

STATEMENT NO: 010590

TELEPHONE NUMBER:

(707) 761-6026

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT

SOURCE: BURGESS CREEK

TRIBUTARY TO: Dobbins CREEK

COUNTY: TRINITY

DIVERSION

WITHIN: NW1/4 OF NW1/4 SECTION 23, T03S, R06E, H B8M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1987. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet

☐ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1984	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	
1985	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	
1986	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic _____

Other (specify) Hydroelectric Generator

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED:

April 6, 19 87, at Zenid

California

Signature:

Edward F. Burgess

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

STATE WATER RESOURCES
CONTROL BOARD

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1990 FEB 27 PM 3:00

DIV. OF WATER RIGHTS
STATEMENT NO: 010590
SACRAMENTO

DIVERTER OF RECORD:

EDWARD F BURGESS (Deceased Dec 26, 1989)
STAR ROUTE 1, BOX 27
ZENIA, CA 95495

change to -

TELEPHONE NUMBER:
(707) 243-6076

IF NAME/ADDRESS/P Gwyneth L.

MISSING, PLEASE CORRECT.

SOURCE: BURGESS C Burgess

TRIBUTARY TO: DOBBINS C

COUNTY: TRINITY

DIVERSION

WITHIN: NW1/4 OF NW1/4 SECTION 23, T03S, R06E, H B&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons
☒ Acre-feet
☒ 18.8 (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct	Nov	Dec	Total Annual
1987	3.5	3.5	1.7	1.6	0	0	0	0	0	1.5	3.5	3.5	18.8
1988	3.5	3.5	1.7	1.6	0	0	0	0	0	1.5	3.5	3.5	18.8
1989	3.5	3.5	1.7	1.6	0	0	0	0	0	1.5	3.5	3.5	18.8

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation

Stockwatering

Domestic

Other (specify) Electricity Generation

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

none

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 2-1-90, 19 90, at Zenia, California

Signature: Gwyneth L Burgess

MAR 5 1990 RSN

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Appropriation of Water in California"

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE
(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

S-10,590 .apc

NOV 12 1981
DIV. OF WATER RIGHTS
SACRAMENTO

NOV 12 1981

NOV 12 1981

A. Name of person diverting water Edward F. Burgess
Address STAR RT 1 Box 37 ZENID CA 95495 Telephone: 707 261-8076B. Name of body of water at point of diversion Burgess Creek
Tributary to Hembrey Creek then to South Fork Dobbins CreekC. Place of diversion NW 1/4 NW 1/4 Section 23 Township 3S Range 6E Humboldt Co.
TRINITY County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.D. Name of works UN NAMEDE. Capacity of diversion works 1 CFS cubic feet per second
Capacity of storage reservoir N.A. gallons per minute
State quantity of water used each month in gallons or acre-feet
gallons
acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

NEW STATEMENT FOR FUTURE USE.Maximum annual water use in recent years N.A. gallonsMinimum annual water use in recent years N.A. acre-feetType of diversion facility: gravity ☒, pump ☐Method of measurement: weir ☒, flume ☐, electric power meter ☐, water meter ☐, estimate ☐F. Purpose of use (what water is being used for) WATER TO BE USED FOR IRRIGATION AND HYDROELECTRIC POWER THEN RETURNED TO BURGESS CREEK.G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
PART OF WATER FOR IRRIGATION IN SEC 23 NE 1/4 OF NE 1/4 THEN RETURNED FOR HYDROPOWER.H. Year of first use as nearly as known will be 1981 or 1982I. Name of person filing statement Edward F. BurgessPosition OWNER Organization Address STAR RT 1 Box 37 ZENID CA 95495 Telephone:

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: 11/9/81, 19 81, at ZENID, California.Signature: Edward F. Burgess

See Instructions on Reverse Side